

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF INDIANA**

MALIBU MEDIA, LLC,)	
)	
Plaintiff,)	Civil Case No. <u>1:12-cv-00841-SEB-MJD</u>
)	
v.)	
)	
TOBY REEVES, HAOJIE WANG, DANIEL)	
WATT, CAMERON GAFF, GIANCARLO)	
DI MIZIO JR., SEAN MANGYIK,)	
KRISTINE EIKENBERG, RAMAKANT)	
MAMIDIDODDI, LEONARDO ALDANA,)	
WILLIAM MEEKS SR. and JOHN DOES)	
2, 3, 4, 5, 6, 10, 12, 13, 22 and 23,)	
)	
Defendants.)	
)	

**PLAINTIFF'S OPPOSITION TO DEFENDANT'S MOTION
FOR AN ORDER TO SHOW CAUSE [CM/ECF 166]**

Plaintiff respectfully requests the Court deny Defendant's motion because Plaintiff sent Defendant a copy of the motion and Defendant has not been prejudiced. Undersigned sent Defendant a copy of the Motion for Clerk's Entry of Default [CM/ECF 158] on June 27, 2013 via first class mail. *See* Declaration of Paul Nicoletti. Pursuant to Fed. R. Civ. P. 5(b)(2)(C) “[a] paper is served under this rule by: mailing it to the person's last known address—in which event service is complete upon mailing”. *Id.* Because undersigned complied with the Court's order, Plaintiff respectfully requests the Court deny Defendant's motion.

Dated: August 8, 2013

Respectfully submitted,

NICOLETTI & ASSOCIATES, PLLC

By: /s/ Paul J. Nicoletti

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Attorneys for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that on August 8, 2013, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF and that service was perfected on all counsel of record and interested parties through this system. I also hereby certify that on August 8, 2013, pursuant to this Court's order dated May 21, 2013 [CM/ECF 158], I served copies of all of Plaintiff's filings via Federal Express on pro se Defendant Haojie Wang, 1117 Anthrop Ar. Apt 2, West Lafayette, IN 47906.

By: /s/ Paul J. Nicoletti